

Notice of Abandonment

Application No.

10/618,124

Examiner

Gary E. Elkins

Applicant(s)

STEWART, DANIEL ROY

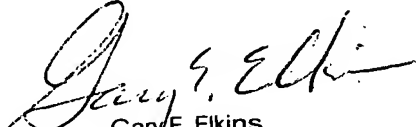
Art Unit

3782

The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 08 March 2007.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply (including a total extension of time of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
 - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____. The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Transmission dated _____), which is after the expiration of the period for reply.
 - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:


Gary E. Elkins
Primary Examiner
Art Unit: 3782

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Notice of Non-Responsive Amendment

1. The reply filed on 12 December 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the marked-up copy of the specification submitted 28 August 2006 does not accurately set forth the additions and deletions as compared to the original specification. For example, on page 11, lines 4, 10 and 13 under the Brief Description of the Several Views, "FIG.1" was not in the originally filed specification and is not underlined, "and" is underlined as an addition, but is present within the original specification and "attachments" was not present within the original specification and thus should have been underlined as an addition, respectively. The marked-up copy of the newly submitted specification should be carefully reviewed to make sure that all additions and deletions as compared to the original specification are being properly shown and in compliance with the requirements regarding substitute specifications. Entry of the substitute specification as well as providing a proper response to the Notice of Non-Compliant Amendment mailed 01 August 2006 is dependent upon the filing of an accurate marked-up copy. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**



Daniel R. Stewart
817 Simondi Ave.
Salt Lake City, Utah 84116
Tel. (801) 673-1683

March 29, 2007

Certificate of Mailing

I hereby certify that this correspondence and attachments will be deposited with the United States Postal Service by First Class Mail, postage prepaid, in an envelope addressed to:

Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313-1450
Attention; Examiner Gary E. Elkins
Art Unit 3727 Technology Center 3700

Applicant

A handwritten signature in black ink, appearing to read "D. R. Stewart", written over a horizontal line.

Daniel R. Stewart

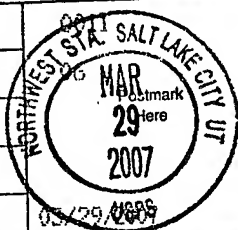
7006 2150 0002 8328 1517

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

ALEXANDRIA VA 22313 **OFFICIAL USE**

Postage	\$	\$1.35
Certified Fee		\$2.40
Return Receipt Fee (Endorsement Required)		\$0.00
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$3.75



Sent To **COMMISSIONER FOR PATENTS**
Street, Apt. No., or PO Box No. **P.O. BOX 1450**
City, State, ZIP+4 **ALEXANDRIA, VA 22313-1450**
PS Form 3800, August 2006 See Reverse for Instructions

DMIC & STEWART
817 SIMMONS AVE
SALT LAKE, UT
84116





~~✓~~ DOCUMENTS MAILED MARCH 29, 07

☐ COVER LETTER 1

☐ CERTIFICATE OF MAILING 1

D CORRECTED MARK-UP OF SPECIFICATION 15

TOTAL 17



Track/Confirm - Intranet Item Inquiry - Domestic

Item: 7006 2150 0002 8328 1517		Service Calculation Acceptance	
		Date/Time: 03/29/2007 14:54	
Destination	ZIP Code: 22313	City: ALEXANDRIA	State: VA
Origin	ZIP Code: 84116-9998	City: SALT LAKE CITY	State: UT
Class: First Class			
Anticipated Delivery Date: 04/02/2007			
Weight: 0 lb(s) 5 oz(s)		Postage: \$1.35	
Record Restored on 09/20/2007			
Firm Book ID: 51030SGQA54900005856			
Delv Rqmt: Normal		PO Box?: N	
Special Services	Associated Labels	Amount	
CERTIFIED MAIL	7006 2150 0002 8328 1517	\$2.40	

Event	Date/Time	Location	Scanner ID
DELIVERED	04/03/2007 08:17	ALEXANDRIA, VA 22313	030SGQ7938
	Firm Name: PATENTS		
	Recipient: 'A YOUNG'		
	Request Delivery Record		
	View Delivery Signature and Address		
NOTICE LEFT	04/02/2007 16:08	ALEXANDRIA, VA 22313	030SGQA549
ARRIVAL AT UNIT	04/02/2007 15:14	ALEXANDRIA, VA 22301	030SGQA549
ACCEPT OR PICKUP	03/29/2007 14:54	SALT LAKE CITY, UT 84116	

Enter Request Type and Item Number:

Quick Search ☒ Extensive Search ☐

[Explanation of Quick and Extensive Searches](#)

Version 1.0.

Inquire on [multiple items](#).

UNITED STATES
POSTAL SERVICE**Track/Confirm - Intranet Item Inquiry**
Item Number: 7006 2150 0002 8328 1517**This item was delivered on 04/03/2007 at 08:17**

Delivery section	
Signature:	Signature: <i>Anthony Young</i>
	Signature: <i>Anthony Young</i>
Address:	Address: <i>PO Box 145</i>
	Address: <i>PO Box 145</i>

Enter Request Type and Item Number:Quick Search ☒Extensive Search ☐[Explanation of Quick and Extensive Searches](#)

Version 1.0

Inquire on multiple items.Go to the Product Tracking System Home Page.